

**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, DECEMBER 4, 2001
COUNTY COMMISSIONERS CHAMBERS
FIRST FLOOR, COUNTY-CITY BUILDING
1:30 P.M.**

Commissioners Present: Kathy Campbell, Chair
Bob Workman, Vice Chair
Bernie Heier
Ray Stevens

Commissioners Absent: Larry Hudkins

Others Present: Norm Agena, County Assessor
Kerry Eagan, Chief Administrative Officer
David Johnson, Deputy County Attorney
Bruce Medcalf, County Clerk
Trish Owen, Deputy County Clerk
Gwen Thorpe, Deputy Chief Administrative Officer

- 1) **MINUTES:** Approval of the minutes of the Board of Equalization meeting held on Tuesday, November 27, 2001. (A copy of these minutes is on file in the office of the Lancaster County Clerk.)

MOTION: Heier moved and Stevens seconded approval of the minutes of the Board of Equalization meeting dated November 27, 2001. Campbell, Workman, Heier and Stevens voted aye. Motion carried.

- 2) **ADDITIONS AND DEDUCTIONS:**

Approval of 135 additions and deductions to the tax assessment rolls per Exhibit A.

MOTION: Workman moved and Heier seconded approval. Heier, Campbell, Stevens and Workman voted aye. Motion carried.

3) **MOTOR VEHICLE TAX EXEMPTIONS:**

**BryanLGH Medical Center
Rosemont Alliance Church
Trinity United Methodist Church**

MOTION: Heier moved and Stevens seconded approval of the motor vehicle tax exemptions for BryanLGH Medical Center, Rosemont Alliance Church and Trinity United Methodist Church. Stevens, Workman, Heier and Campbell voted aye. Motion carried.

4) **ADJOURNMENT:**

MOTION: Heier moved and Workman seconded adjournment of the Board of Equalization meeting at 1:32 p.m. Workman, Campbell, Stevens and Heier voted aye. Motion carried.

Bruce Medcalf
County Clerk

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Commissioners Present: Kathy Campbell, Chair
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Commissioners Absent: Larry Hudkins

Others Present: Kerry Eagan, Chief Administrative Officer
David Johnson, Deputy County Attorney
Bruce Medcalf, County Clerk
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Gwen Thorpe, Deputy Chief Administrative Officer

- 1) **MINUTES:** Approval of the minutes of the Board of Commissioners meeting held on Tuesday, November 27, 2001. (A copy of these minutes is on file in the office of the Lancaster County Clerk.)

MOTION: Workman moved and Stevens seconded approval of the minutes of the Board of Commissioners meeting dated November 27, 2001. Campbell, Heier, Workman and Stevens voted aye. Motion carried.

- 2) **CLAIMS:** Approval of all claims processed through Tuesday, December 4, 2001.

MOTION: Heier moved and Workman seconded approval. Heier, Campbell, Stevens and Workman voted aye. Motion carried.

- 3) **SPECIAL PRESENTATIONS:**

A. A one step increase, due to exceptional circumstances, for the following employees in the Lancaster County Public Defender's Office: (M-01-142)

- O Kristi Gottberg, paralegal
- O Angela Franssen, paralegal

MOTION: Heier moved and Stevens seconded approval. Stevens, Workman, Heier and Campbell voted aye. Motion carried.

4) **PUBLIC HEARINGS:**

A. A Local Law Enforcement Block Grant for the Lancaster County Sheriff's Office in the amount of \$147,230. The Federal government's share is \$132,507 and the County's share is \$14,723. The hearing is required by the Federal government and will outline the purpose for which the funds will be used.

The Chair opened the public hearing.

Terry Wagner, Lancaster County Sheriff, appeared and provided background information on the local law enforcement block grant.

Bill Jarrett, Chief Deputy Sheriff, also appeared and noted the following areas of funding:

Lancaster County Adult Drug Court	\$ 49,331
Palm Pilot Project	\$ 20,000
Mapping Project	\$ 19,000
Mobile Data Project	\$ 32,120
Accident Reconstruction and Reduction Project	\$ 8,820
Investigation Division Projects	\$ 14,650
Training and Replacement of Gas/Impact Munitions	\$ 3,500
Total Cost of All Projects	\$147,421

The Chair closed the public hearing.

MOTION: Heier moved and Stevens seconded to proceed with the grant.
Workman, Campbell, Stevens and Heier voted aye. Motion carried.

5) **OLD BUSINESS:**

A. A resolution in the matter of approving the redistricting of the County Commissioner districts for Lancaster County, Nebraska. (R-01-115)

Kent Morgan, Assistant Planning Director, explained that two precincts were split when the County Commissioner district lines were redrawn. He said the Election Commissioner has requested that these precincts be moved into new districts, a net change of five voters. A revised map was submitted into the record (Exhibit 1).

5) **OLD BUSINESS CONTINUED:**

Dave Johnson, Deputy County Attorney, submitted a revised Attachment "A" for the resolution into the record.

MOTION: Workman moved and Heier seconded approval of the new County Commissioner districts, with the revised Attachment "A". Stevens, Workman, Heier and Campbell voted aye. Motion carried.

B. A resolution in the matter of Comprehensive Plan Conformity Number 01003: Lancaster County Road and Bridge Construction Program, Fiscal Years 2002 and 2003-2007. (R-01-119)

MOTION: Heier moved and Stevens seconded approval. Stevens, Workman, Campbell and Heier voted aye. Motion carried.

C. A project financing agreement with Cabela's Inc. to assist them in developing an MIS Application Development Department, Customer Relations Center and Credit Card Processing Facility in Lincoln-Lancaster County. The County will provide funds through its Economic Development Loan Program, in the amount of \$500,000, of which \$125,000 will be a grant and \$375,000 will be a low interest loan. Cabela's will enter repayment of the loan on March 15, 2006 for 60 months. (C-01-402)

Troy Gagner, Economic Development Coordinator, appeared and reported that 128 full-time equivalent jobs were in place as of August 31, 2001, and said 82 of these were the result of job retention from the credit card facility. He said at least 90 full-time equivalent jobs have been added this quarter and said that report is due on December 15, 2001.

In response to a question from Workman, Gagner said Cabela's goal is to have 360 full-time equivalent employees by the end of the fifth year.

MOTION: Workman moved and Stevens seconded approval of the project financing agreement with Cabela's. Heier, Workman, Campbell and Stevens voted aye. Motion carried.

6) **NEW BUSINESS:**

A. An agreement with Cedars Youth Services to provide a Juvenile Pre-Trial Diversion Program, beginning July 1, 2001 and ending June 30, 2002. The County will pay \$41,500 for the services. (C-01-581)

MOTION: Heier moved and Stevens seconded approval. Campbell, Stevens, Workman and Heier voted aye. Motion carried.

6) **NEW BUSINESS CONTINUED:**

- B. An agreement with Evercom Systems, Inc. to permit Evercom to exclusively install and maintain an inmate telecommunications system at the new Juvenile Detention Center located at 1200 Radcliff Road. The County will receive 35 percent of the actual net revenue from the utilization of the equipment by inmates. The term of the agreement is three years from the date of execution. (C-01-582)**

The Chair said Item 6B will be held until such time as the County Attorney's Office is ready to reschedule it on the agenda.

- C. A resolution relating to a corporate manager application from Joseph K. McDermott in connection with a Class C (Alcoholic on and Off Sale) and a Class K (Wine Off Sale Only) liquor license for the Nebraska State Board of Agriculture d/b/a Nebraska State Fair Park located at 1800 State Fair Park Drive in Lancaster County, Nebraska. (R-01-122)**

MOTION: Heier moved and Stevens seconded approval. Stevens, Heier, Workman and Campbell voted aye. Motion carried.

- D. A resolution authorizing the installation of the following traffic signs in Lancaster County, Nebraska: (R-01-121)**

- O A "Stop Ahead" sign on Wildrose Lane, 500 feet west of Northwest 27th Street for eastbound traffic**
- O A "Reduced Speed Ahead" sign on Northwest 27th Street 300 feet north of the City limits for southbound traffic**

MOTION: Workman moved and Heier seconded approval. Workman, Campbell, Stevens and Heier voted aye. Motion carried.

- E. A resolution in the matter of the commitment of \$100,000 Lancaster County Keno funds toward the purchase of Homestead Trail from Mile Post 66 (Jamaica Station) to Mile Post 125 (Marietta, Kansas) from the Union Pacific Railroad in the amount of \$500,000. (R-01-123)**

Dave Johnson, Deputy County Attorney, appeared and noted that there have been several revisions to the resolution. These include a correction in the number of votes previously cast to approve the commitment of funds and the addition of language to reflect a commitment of Keno Funds to the purchase of land within Lancaster County.

MOTION: Workman moved and Stevens seconded approval. Workman, Heier, Campbell and Stevens voted aye. Motion carried.

6) **NEW BUSINESS CONTINUED:**

- F. Recommendation from the Purchasing Agent and the County Engineer to award a bid for crack sealing on various roadways within Lancaster County to Monarch Oil, Inc., in the amount of \$14,300. (B-01-53)**

MOTION: Workman moved and Stevens seconded approval. Campbell, Heier, Stevens and Workman voted aye. Motion carried.

- G. Recommendation from the Purchasing Agent and the County Engineer to award orders from State of Nebraska contracts (#CA5708 and CA#5711) to Husker Auto Group, in the total amount of \$47,698.31, for two, 2002 Chevrolet Silverado 2x4 pickups, with options and one, 2002 Chevrolet Silverado pickup, with options. (B-01-54)**

MOTION: Heier moved and Stevens seconded approval. Campbell, Stevens, Heier and Workman voted aye. Motion carried.

- H. Award of bid to State Title Services, in the amount of \$55 per search certificate, for the preparation of title certificates on real property foreclosures for nonpayment of real property taxes and \$40 for each Uniform Commercial Code (UCC) title certificate. (B-01-52)**

MOTION: Workman moved and Heier seconded approval. Campbell, Heier, Workman and Stevens voted aye. Motion carried.

- I. Authorization of Wells Fargo Bank, as Trustee, to disburse \$1,834.80 from the juvenile detention center bond proceeds to Allied Refrigeration and Appliance for three refrigerators and four microwaves for the new Juvenile Detention Center. (M-01-139)**

MOTION: Heier moved and Stevens seconded approval. Heier, Campbell, Stevens and Workman voted aye. Motion carried.

6) **NEW BUSINESS CONTINUED:**

- J. A political subdivision tort claim filed by Herbert J. Friedman, on behalf of the Estate of Carlton M. Stanford, deceased, in the amount of \$1,000,000.**

Daniel H. Friedman, attorney, appeared and said the evidence suggests that the law enforcement officials who were in charge of Stanford were jeering and laughing at his threats to attempt suicide and did not properly restrain him. He said they had also been warned by Stanford's family that he suffered from bi-polar disease and was suicidal. Friedman said these warnings were unheeded and Stanford subsequently committed suicide.

MOTION: Workman moved and Heier seconded to deny the tort claim. Stevens, Workman, Heier and Campbell voted aye. Motion carried.

- K. A request from Doug Thoms, Sr., on behalf of Edward Goh d/b/a ED GO E-Z Motors for a refund of personal property taxes for 1998 and 1999, in the approximate amount of \$455.45. (M-01-137)**

MOTION: Heier moved and Workman seconded approval. Workman, Campbell, Stevens and Heier voted aye. Motion carried.

- 7) **CONSENT ITEMS:** These are items of business that are routine and which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:

A. Receive and Place on File:

- 1. Noxious Weed Control Authority's Monthly Report for November, 2001.**
- 2. Noxious Weed Control Authority's Monthly Report for the Combined Weed Program with the City of Lincoln for November, 2001.**

- B. Setting of a public hearing for Tuesday, December 18, 2001 at 1:30 p.m. in the County Commissioners Chambers, Room 112, on the first floor of the County-City Building for County Final Plat 01029, Post Rock Pines, requested by Lyle Loth of ESP, on behalf of Randy Miller, consisting of eight lots and one outlot on property generally located at the southeast corner of South 120th Street and Firth Road in Lancaster County, Nebraska.**

7) **CONSENT ITEMS CONTINUED:**

C. A request from David Channon, an employee at Lancaster Manor, to participate in the Lancaster County Retirement Plan. (M-01-140)

MOTION: Heier moved and Stevens seconded approval of the Consent Items. Stevens, Workman, Heier and Campbell voted aye. Motion carried.

8) **ADJOURNMENT:**

MOTION: Workman moved and Stevens seconded to adjourn the Board of Commissioners meeting at 2:10 p.m. Stevens, Workman, Campbell and Heier voted aye. Motion carried.

MOTION: Workman moved and Stevens seconded to reconsider the motion to adjourn. Heier, Workman, Campbell and Stevens voted aye. Motion carried.

Dave Johnson, Deputy County Attorney, appeared regarding the matter of questionable claims.

The Chair requested these be identified separately on the agenda.

MOTION: Workman moved and Stevens seconded to adjourn the Board of Commissioners meeting at 2:13 p.m. Campbell, Stevens, Workman and Heier voted aye. Motion carried.

Bruce Medcalf
County Clerk